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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 23, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANNA M.¹,

Plaintiff,

vs.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:19-CV-03253-MKD

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

ECF Nos. 17, 19

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 19, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Stephen Hood represents Plaintiff. Attorney Erin Highland

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 represents Defendant. The parties have consented to proceed before a magistrate
2 judge. ECF No. 10.

3 After consideration, **IT IS HEREBY ORDERED** that:

4 1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is **GRANTED**.
5 2. The above-captioned case be **REVERSED** and **REMANDED** to the
6 Commissioner of Social Security for further administrative proceeding pursuant to
7 sentence four of 42 U.S.C. § 405(g).

8 On remand, the parties stipulate that the ALJ will:

9 (1) Reevaluate the medical evidence, including the opinions of Stanley D.
10 Borish, M.D., and Dan V. Phan, M.D., and explain the weight given to
each opinion;
11 (2) Further evaluate Plaintiff's depression in accordance with the special
technique described in 20 C.F.R. § 404.1520a, documenting application
of the technique in the decision by providing specific findings and
appropriate rationale for each of the functional areas described in 20
C.F.R. § 404.1520a(c);
12 (3) Evaluate Plaintiff's obesity and its effects on the ability to perform work
activities pursuant to Social Security Ruling 02-1p;
13 (4) Reassess Plaintiff's subjective allegations and the lay witness evidence in
Exhibits 10E;
14 (5) Reevaluate Plaintiff's residual functional capacity and provide a rationale
with specific references to evidence of record in support of assessed
limitations;
15 (6) Proceed with the remaining steps of the sequential evaluation process,
obtaining vocational expert testimony, as necessary; and
16 (7) Issue a new decision.

17 ECF No. 19 at 2.

18
19 3. Judgment shall be entered for **PLAINTIFF**.
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4. Plaintiff's Motion for Summary Judgment, ECF No. 17, is **STRICKEN AS MOOT**.

5. Upon proper presentation, this Court consider Plaintiff's application for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

The District Court Executive is directed to enter this Order, enter **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

DATED April 23, 2020.

s/Mary K. Dimke

MARY K. DIMKE

UNITED STATES MAGISTRATE JUDGE